

REMARKS

In reviewing the claims, it was noted that while claim 8 had been previously amended, corresponding amendments to claims 9-11 had been overlooked. The foregoing amendment amends the claims, as previously suggested by the examiner, in order to maintain consistent terminology throughout the claims.

No new matter has been added. Entry is requested.

Claims 1-17 are rejected under 35 U.S.C § 103 as being unpatentable over U.S. Patent No. 6,288,148 B1 (Samukawa et al.). Applicants disagree.

Samukawa fails to suggest a pressure sensitive adhesive that comprises an acrylic copolymer and at least two tackifiers wherein the tackifiers are substantially different and wherein at least one tackifier has a softening point of less than about 40°C and one other tackifier has a softening point of greater than about 60°C, as required and claimed by applicants. The adhesive composition claimed by applicants comprises an acrylic copolymer and a mixture of at least two substantially different tackifiers. As defined by applicants, "substantially different" tackifiers means that the adhesive mixture contains at least two tackifiers that differ in chemical nature as well as softening point (see page 2, lines 26-27). The specific mixture of tackifiers used is critical to the practice of the invention. The tackifying mixture contains at least two tackifiers that differ in chemical nature and in softening point, more specifically at least one tackifier must have a softening point of greater than about 60°C and at least another tackifier must have a softening point of less than about 40°C. Preferred adhesives of the invention comprise at least

one rosin ester and at least one phenolic modified terpene.

Samukawa discloses acrylic emulsions, more specifically aqueous emulsion dispersions, that contain tackifiers, and adhesives tapes containing such acrylic emulsions containing tackifiers. Suitable tackifiers are described as those with good compatibility for acrylic emulsion polymers. Listed as examples are rosin ester resins, terpene phenol resins and xylene resin, chroman/indene resins and C9 petroleum resins (col. 6, lines 31-39). While Samukawa states that tackifiers having different softening points may be used, Samukawa also discloses that their softening point is not critical (col. 6, lines 40-44). No combination, let specific combination, of tackifiers is exemplified or even recommended, and no benefits derived from any such mixture suggested. While Samukawa discloses that aqueous crosslinking agents may be used, their use is described as deteriorating adhesion (paragraph bridging col. 8 and col. 9). The adhesive tape of Samukawa prepared using acrylic emulsions containing rosin ester is described as having insufficient adhesion to polyurethane foam (col. 18, lines 58-59).

The disclosure of Samukawa does not disclose adhesives based on acrylic copolymers, does not suggest acrylic copolymer based adhesives that are tackified with a mixture of at least one tackifier having a softening point of greater than about 60°C and at least another tackifier having a softening point of less than about 40°C, does not suggest acrylic copolymer based adhesives tackified with a mixture of at least one rosin ester and at least one phenolic modified terpene does not suggest acrylic, does not suggest crosslinking agents of the type contemplated for use in the practice of applicants' invention, does not suggest how acrylic copolymers using rosin esters as a tackifying agent can be made to adhere to, e.g., polyurethane foams while maintaining

performance properties as discovered by applicants.

Samukawa fails to provide any teaching that would motivate one of ordinary skill in the art to use the tackifier combination disclosure for use and required in the practice of applicants' invention. Applicants' adhesive and adhesive tapes, labels or the like are not suggested by the Samukawa disclosure.

Favorable reconsideration and withdrawal of the rejection over claims 1-17 over Samukawa is requested.

Respectfully submitted,



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